

# Hopewell Planning Board

2716 County Rd. 47 – Canandaigua – NY 14424  
585-394-0036 ext. #8 – [www.townofhopewell.org](http://www.townofhopewell.org)  
Minutes – August 24, 2020

**Present:** Chairman Jim Bator, Phil Bassage, Ryan Bruzda, Allan Wesche, Sylvia Moore, Lance Brabant (MRB) , , Shawn Cotter, CEO Jerry Hoover, Bill Grove (Grove Engineering), Mark Malvaso, Sara Benham, James Kramer, Steven Sciarratta, Jeffrey Wood, Tim Vaughan, Narina Schulz

**Absent:** Nick Sergeant, Jim Carello

**On-line/Phone In:**

**User 1 (No name listed)** *(No comments from User 1 during the course of the Public Hearing or Planning Board meeting.)*

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The Chairman called the meeting to order at 7:00 p.m.

**General Business:** Approval July 27, 2020 Minutes

Allan Wesche moved to approve the July 27, 2020 minutes as presented. Motion seconded and carried.

**Privilege of the floor:** No one from the public spoke or logged into join.me on-line thru MRB link.

**Public Hearing:** Rodney Thorn – 4392 County Rd 50 – TM 85.03-1-3.000 – Site Plan/Special Use Permit  
Temporary Parking CMAC Events – PZ-2020-004

The Chairman continued the Public Hearing for Rodney Thorn application.

No one from the public spoke during the Public Hearing.

CEO Jerry Hoover stated the applicant has not obtained the necessary approval from Ontario County concerning the driveway cut/access agreement, and therefore is asking the Planning Board to continue the Public Hearing to the September Planning Board meeting date. He added, the applicant stated he has received an e-mail and a verbal agreement from the County; however, CEO Hoover has informed Mr. Thorn that a letter from the County granting easement access permission is what is needed prior to the Planning Board moving forward with the application.

Allan Wesche moved to continue the Public Hearing for application PZ-2020-004 - Site Plan & Special Use for Rodney Thorn, property located at 4392 County Road 50, TM# 85.03-1-3.000 to the next Planning Board meeting date September 28, 2020 at 7:00 p.m. Motion seconded by Ryan Bruzda and carried unanimously.

**Public Hearing continuation:** Emily Jeffery – PZ-2019-037 – Subdivision/Site Plan – Lincoln Hill Rd.  
TM # 99.00-1-56.000

The Chairman continued the public hearing for Emily Jeffery application and asked the Public to keep comments and documents limited to new concerns and information concerning the Jeffery application.

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Tim Vaughan – 3464 Lincoln Hill Rd. – submitted documents from 2008 for a Lincoln Hill Rd. subdivision application for Hank Eiffert. Mr. Vaughan stated the Planning Board approved the sub-division for residential family homes with height restrictions in order to protect neighbors' views of the lake. He asked the Planning Board to consider placing the same restrictions on single family residences with the newly proposed subdivision for the Jeffery application. (Documentation attached to minutes.)

James Kramer – 3517 Lincoln Hill Rd. – remarked on Bill Groves memo dated August 21, 2020. He disagreed with Mr. Grove concerning the character of the neighborhood and believes a private drive to be shared by the four proposed lots should be considered, he further added, the subdivision application in 2016 was originally not approved.

*(August 22, 2016 – ZBA minutes show area variances were approved.)*

Mark Malvaso – 3476 Lincoln Hill Rd. – stated an engineer's report was submitted by the residents concerning the 2016 subdivision, and 24 items have not been addressed, nor the residents' questions answered by Mr. Grove, and would like to know why. He further added, perhaps the residents need to get a lawyer involved.

Jeff Wood – 3495 Lincoln Hill Rd. – Stated he believes a landowner is well within their right to sell their property if they wish to do so. However, if you do not meet zoning requirements in selling land, you do not have the right to sell your property. He re-iterated that snow removal is an issue on their road and believes it will be a larger cause of concern for his property because the proposed lot next to him will be piling snow up on to his property, since there will be no other place to move it to.

Steve Sciarratta – 2477 Lincoln Hill Rd. – Stated he is also concerned about snow removal and placement. He added he is not opposed of a driveway being moved for one of the lots, however it will then be closer to his personal property and therefore is concerned of melting snow, run-off and wondering if proper drainage would be in place to prevent flooding on his property.

Narina Schulz – 3460 Lincoln Hill Rd. – Stated adding four additional building lots on Lincoln Hill Rd. will change the character of the neighborhood. Currently no homes block lake view, and she has not seen any drawings on site plans where future homes will or will not block present home views of the lake. Ms. Schulz does not agree with Mr. Grove's statement concerning flooding issues on Lincoln Hill Rd., she believes surface water will increase. Ms. Schulz referred to Brennan Mark's comments from the 2016 subdivision application, and stated Mr. Mark's suggested a retention pond be in place for flooding purposes.

Ms. Schulz stated rain gardens are not sufficient and according to Brennan Mark's comments from the 2016 application, more than 5-acres of land will be disturbed during this project, not 3.84 acres as Mr. Grove has determined.

There were no further comments from the public.

**Ryan Bruzda moved to close the public hearing for Emily Jeffery – PZ-2019-037 – Subdivision Site Plan – Lincoln Hill Rd. - TM # 99.00-1-56.000, in order to move forward with SEQR.** A second was made by Sylvia Moore. Motion carried.

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## SEQR Determination:

Lance Brabant stated MRB has provided a review of the application, and has submitted it to the Planning Board as well as Bill Grove. The comments from MRB include some of the staff and residents' comments for the 2019 Jeffery application that was submitted for review.

Lance Brabant gave an overview of what determines the use of a Short Environmental Assessment Form (SEAF)

1. NYS Law identifies Type II Action as the smallest action, which requires no action. Type II Action does not apply to this application.
2. Type I Action requires a full EAF (environmental assessment review)
3. Type I Action (Most extreme case of SEQR evaluation and does require a full EAF to be provided.) *Some examples of what would require a Type I Action:*
  - a. If the property is located in an AG District – *This application is not located in an AG District*
  - b. If the property is neighboring a Historic Property that has been listed. *This application is not neighboring a historic property.*
  - c. If the property is located next to an open space or park-land. *This property is not.*
  - d. If the property is involved with commercial parking. *This land is not commercial property.*

Since the application does not meet any criteria for a Type I or Type II Action, this application falls under an Unlisted Action which requires a Short Form SEQR. Mr. Brabant stated MRB has reviewed the application, and has determined a full EAF will not produce any additional information that might be obtained thru Type I SEQR. However, MRB submitted the application information through a full EAF, no additional information was found. Therefore, MRB has submitted a Short Form SEQR to the Planning Board for review.

Mr. Brabant stated this particular application does require SHPO (State Historic Preservation) since it is located in a designated archaeological area. Ultimately the Planning Board should receive a “no affect finding” letter from SHPO which will allow the application to move forward. A no impact letter is expected since surrounding properties have not had any historic impact from other archaeological studies.

Mr. Brabant stated MRB has adequately reviewed SEQR, and is now asking the Planning Board if they have any questions concerning SEQR short form for the Jeffery subdivision application, which has been submitted for review.

Sylvia Moore referred to #5 on Part II Impact Assessment, concerning adverse change in the existing level of traffic. Ms. Moore stated Mr. Grove has ascertained additional traffic from four additional houses located on Lincoln Hill Rd. will average approximately 10 trips per day from each household, and is negligible. She questioned how does the Board calculate the formula for traffic, and account for Lincoln Hill Rd. as a dead-end road in the formula.

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Mr. Brabant stated any application that comes in for review is placed on a “trip trigger”. The State’s threshold is if the trip triggers more than 100 cars per day. Anything over that amount would require a traffic analysis. Since the proposed four residential lots do not meet this criteria, a traffic analysis study does not warrant having the traffic study being done, however it is in the Planning Board’s purview to ask for a traffic study to be done, but the thresholds are not being crossed, therefore the number of proposed homes being added does not warrant a traffic study to be done according to NYS.

Chairman Bator stated the road currently has a speed limit of 40 mph, which has already been reduced, and there are a number of no parking signs on the road. Mr. Bator asked Mr. Brabant what further action could take place concerning mitigating traffic on Lincoln Hill Rd.

Lance Brabant stated typically with signage and speed zones, the residents could petition the Town Board, who would then petition the State, and the State would then determine speed zones, if deemed necessary.

Bill Grove stated in the end, he believes the Planning Board would not obtain a satisfactory answer in regard to an adverse effect with concerning traffic with the neighborhood or Town.

Mr. Malvaso stated there are currently 16-17 homes on the road, and with an additional four homes there will be a 25% increase in traffic.

Bill Grove briefly reviewed his comments letter dated August 21, 2020. (Attached to minutes.) He stated the Jeffery’s had submitted a similar application in 2016, and Brennan Mark’s (Mark’s Engineering) had comments concerning that application. Mr. Grove stated he has reviewed the letter from 2016, and has incorporated some of those concerns that are relevant and had validity into the present 2019 site plan.

Mr. Grove stated after hearing comments from the public and Planning Board, the applicant is not opposed to Lot 4 sharing the driveway with Lots 2 & 3, which would eliminate the need to run a driveway through the 30’ portion of Lot 4, however, it will require that the driveway be located closer to the rear property line of 3477 Lincoln Hill Rd.

Lance Brabant stated the site plan must show proper drainage for any driveways, in order to ensure storm water is pulled away from residences and is properly discharged.

Mark Malvaso questioned whether moving the driveway for Lot 4 from the 30’ portion of the Lot, will forever preclude anyone placing a driveway in that section.

Mr. Grove stated a deed restriction and/or subdivision conditions approval on the site plan by the Planning Board, would eliminate that concern, and if a property owner wanted to place something in the 30’ area, they must obtain a variance from the Board of Appeals.

Lance Brabant stated deed restrictions are more difficult to enforce. However, a note on the subdivision plan would be a better option and easier to track and enforce.

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Jeff Wood stated previous homes on Lincoln Hill Rd. did have deed restrictions on height, and would like to see future homes have similar restrictions so as to not block lake views from current homes.

The Board reviewed and discussed Part II SEQR prior to making a determination on SEQR.

**TOWN OF HOPEWELL PLANNING BOARD RESOLUTION  
GROVE ENGINEERING FOR EMILY JEFFERY  
JEFFERY SUBDIVISION (4) LOTS - RESUBMITTAL  
LINCOLN HILL ROAD – R-1 ZONING DISTRICTS  
TM#99.00-1-56.000 PZ# 2019-037**

**SEQR – DESIGNATING LEAD AGENCY**

**WHEREAS**, the Town of Hopewell Planning Board (hereinafter referred to as Planning Board) is considering subdivision plan approval creating four (4) lots from an existing vacant parent parcel of 10.755 acres with proposed Lot 1 at 2.641 acres, Lot 2 at 2.647 acres, Lot 3 at 2.812 acres, and Lot 4 at 2.655 acres, including construction of single-family dwellings and associated improvements on all four (4) lots located along Lincoln Hill Road within the R-1 Zoning District and detailed on Subdivision Plan prepared by Grove Engineering dated October 31, 2019 and all other relevant information submitted as of August 24, 2020 (the current application); and

**WHEREAS**, the Planning Board has determined the proposed action referenced above to be a Unlisted Action under Part 617 of the State Environmental Quality Review (SEQR) Regulations; and

**WHEREAS**, the Planning Board has on Monday, January 27, 2020 declared its intent to be designated the Lead Agency for the proposed Action under the provisions of the State Environmental Quality Review (SEQR) Regulations; and

**WHEREAS**, the Planning Board has provided written notices to this effect to the involved and interested agencies; and

**WHEREAS**, the Planning Board has not received any written objections from the involved agencies to the Board's being designated as the lead agency under the SEQR Regulations; and

**WHEREAS**, the Planning Board has previously determined that it is the most appropriate agency to ensure the coordination of this Action and for making the determination of significance thereon under the SEQR Regulations.

**NOW, THEREFORE BE IT RESOLVED** that the Planning Board does hereby designate itself as the lead agency for the Action identified above herein;

The above resolution was offered by Allan Wesche and seconded by Ryan Bruzda at a meeting of the Planning Board held on Monday, August 24, 2020. Following discussion thereon, the following roll call vote was taken and recorded:

James Bator -	AYE	James Carello -	ABSENT	Phil Bassage -	AYE
Sylvia Moore -	AYE	Allan M. Wesche -	AYE	Ryan Bruzda -	AYE
				Nick Sergeant -	ABSENT

I, Shawn L. Cotter, Planning Board Clerk, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of Hopewell Planning Board for the August 24, 2020 meeting.

Shawn L. Cotter Shawn L. Cotter, Planning Board Clerk

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Narina Schulz asked the Planning Board to have all documents previously submitted to the Board over the past months placed in front of them to read and review while proceeding with SEQR.

Chairman Bator stated the Planning Board has already had the documents presented to them for review, and there is no need to have all the submitted documents on hand in order to proceed with SEQR.

Planning Board proceeded to complete Part II SEQR:

The Chairman stated each of the 11 questions must have a consensus of the Board.

1. Consensus of the Board - there will be a moderate impact with an adopted land use plan.
2. Consensus of the Board - small or no impact
3. Sylvia Moore stated there will be a moderate impact on the character or quality of the neighborhood. Board consensus is the proposed subdivision is in a R-1 District and there will be a small or no impact, since the proposed homes will be in characteristic with the neighborhood.
4. Consensus of the Board – there will be no impact on Environment Characteristics.
5. Sylvia Moore stated there will be a moderate impact. Discussion ensued; the Board consensus is there will be a small impact with traffic with four additional homes. Yes, there is a concern for CMAC concert traffic, however that has no bearing on this application.
6. Consensus of the Board – small or no impact.
7. Consensus of the Board – small or no impact.
8. Consensus of the Board – small or no impact, SHPO will be provided concerning archaeological findings.
9. Consensus of the Board – small or no impact.
10. Consensus of the Board – small or no impact – potential storm run-off will be mitigated beyond what is required by NYS DEC by adding rain gardens. SWPPP (Storm Water Prevention Plan) will be in place if more than 5-acres of land is to be disturbed.
11. Sylvia Moore stated there is a moderate impact on the neighbors with human/mental health since they are clearly distressed with the application. Consensus of the Board – small or no impact.

(SEQR Part II and III attached to minutes) to be signed by Chairman Bator.

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Agency Use Only [If applicable]

Project: Jeffery Subdivision  
 Date: August 24, 2020

## Short Environmental Assessment Form Part 2 - Impact Assessment

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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Agency Use Only (if applicable)  
Project: Jeffery Subdivision  
Date: August 24, 2020

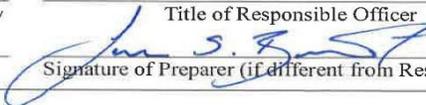
## Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The Planning Board, as the designated lead agency for this Action, under the provisions of Part 617 of the State Environmental Quality Review Regulations, has given a thorough and comprehensive evaluation of the impacts likely to result from the proposed subdivision and development. Based upon this evaluation, the Planning Board, determined the following to be a potential Moderate to Large impact:

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? Yes an impact is likely as area variances (lot width) for three (3) of the four (4) proposed lots under the current zoning regulations are required for this application. They did not feel that this was a significant adverse environmental impact as the Planning Board determined that if the variances are granted, then the impact is mitigated, and if the variances are denied, then the impact is mitigated as the application will be required to reduce the number of requested lots.

In a separate resolution adopted on Monday, August 24, 2020, the Planning Board has determined the proposed Action will not likely result in a significant adverse impact upon the environment and that a Negative Declaration is issued.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
Town of Hopewell Planning Board Name of Lead Agency	August 24, 2020 Date
James Bator Print or Type Name of Responsible Officer in Lead Agency	Planning Board Chairman Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	 - MRB Group Signature of Preparer (if different from Responsible Officer)

PRINT FORM

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**HOPEWELL PLANNING BOARD RESOLUTION  
GROVE ENGINEERING FOR EMILY JEFFERY  
JEFFERY SUBDIVISION (4) LOTS - RESUBMITTAL  
LINCOLN HILL ROAD – R-1 ZONING DISTRICTS  
TM#99.00-1-56.000 PZ# 2019-037**

## **SEQR – DETERMINATION OF SIGNIFICANCE**

**WHEREAS**, the Town of Hopewell Planning Board (hereinafter referred to as Planning Board) is considering subdivision plan approval creating four (4) lots from an existing vacant parent parcel of 10.755 acres with proposed Lot 1 at 2.641 acres, Lot 2 at 2.647 acres, Lot 3 at 2.812 acres, and Lot 4 at 2.655 acres, including construction of single-family dwellings and associated improvements on all four (4) lots located along Lincoln Hill Road within the R-1 Zoning District and detailed on Subdivision Plan prepared by Grove Engineering dated October 31, 2019 and all other relevant information submitted as of August 24, 2020 (the current application); and

**WHEREAS**, the Planning Board has reviewed the Short Environmental Assessment Form (EAF) Part 1, prepared by the applicant on the above referenced subdivision application (hereinafter referred to as Action); and

**WHEREAS**, the Planning Board determines that said Action is classified as an Unlisted Action under Part 617 of the State Environmental Quality Review (SEQR) Regulations; and

**WHEREAS**, the Planning Board has completed a coordinated review with other involved and interested agencies; and

**WHEREAS**, the Planning Board has been designated the lead agency, under the provisions of Part 617.6 (3) and (4) of article 8 of the State Environmental Conservation Law; and

**WHEREAS**, the Planning Board has given consideration to the comments provided by the involved agencies and interested agencies at tonight's meeting; and

**WHEREAS**, the Planning Board has completed its' review of Parts 2 and 3 of the Short Environmental Assessment Form (EAF); and

**WHEREAS**, the Planning Board has given consideration to the criteria for determining significance as set forth in Section 617.7 (c) of the SEQR Regulations and the information contained in Parts 1, 2 and 3 of the Short EAF.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board does hereby accept the findings contained in Parts 2 and 3 of the Short EAF and directs the Planning Board Chairperson to sign and date the Short EAF Part 3.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board has reasonably concluded the following impacts are expected to result from the proposed Action, when compared against the criteria in Section 617.7 (c):

- (i) there will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;
- (ii) there will not be large quantities of vegetation or fauna removed from the site or destroyed as the result of the proposed Action; there will not be substantial interference with the movement of any resident or migratory fish or wildlife species as the result of the proposed Action; there will not be a significant impact upon habitat areas on the site; there are no known threatened or endangered species

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- of animal or plant, or the habitat of such species; or, are there any other significant adverse impacts to natural resources on the site;
- (iii) there are no known Critical Environmental Area(s) on the site which will be impaired as the result of the proposed Action;
  - (iv) the overall density of the site is consistent with the Town's Comprehensive Plan land use recommendations;
  - (v) the project is within an identified Archeological Sensitive Area and coordination with the State Historic Preservation Office (SHPO) has begun; issuance of a No Impact letter is required prior to any site disturbance activities taking plan on site;
  - (vi) the proposed action will not impair the existing community or neighborhood character;
  - (vii) there will not be an increase in the use of either the quantity or type of energy resulting from the proposed Action;
  - (viii) there will not be any hazard created to human health;
  - (ix) there will not be a change in the use of active agricultural lands that receive an agricultural use tax exemption or that will ultimately result in the loss of ten acres of such productive farmland;
  - (x) there will not be a larger number of persons attracted to the site for more than a few days when compared to the number of persons who would come to the site absent the Action;
  - (xi) there will not be created a material demand for other Actions that would result in one of the above consequences;
  - (xii) there will not be changes in two or more of the elements of the environment that when considered together result in a substantial adverse impact; and
  - (xiii) there are not two or more related Actions which would have a significant impact on the environment.

**BE IT FURTHER RESOLVED**, based upon the information and analysis above and the supporting documentation referenced above, the proposed Action **WILL NOT** result in any significant adverse environmental impacts.

**BE IT FINALLY RESOLVED**, that the Planning Board does hereby make a Determination of Non-Significance on the proposed development, and the Planning Board Chairman is hereby directed to sign the Short Environmental Assessment Form Part 3 and issue the Negative Declaration as evidence of the Planning Board's determination.

The above resolution was offered by Allan Wesche and seconded by Phil Bassage at a meeting of the Planning Board held on Monday, August 24, 2020. Following discussion thereon, the following roll call vote was taken and recorded:

James Bator -	AYE	James Carello -	ABSENT
Phil Bassage -	AYE	Sylvia Moore -	NAY
Allan M. Wesche -	AYE	Ryan Bruzda -	AYE
Nick Sergeant -	ABSENT		

I, Shawn L. Cotter, Planning Board Clerk, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of Hopewell Planning Board for the August 24, 2020 meeting.

Shawn L. Cotter Shawn L. Cotter, Planning Board Clerk

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Chairman Bator stated since the Planning Board has designated themselves as Lead Agency concerning the Jeffery application, a time line has now begun which requires a decision from the Planning Board.

Bill Grove stated he is in agreement to extending the time line period to 90 days, in order for the Planning Board to move forward with the Jeffery subdivision/site plan application process.

**Allan Wesche moved to close the Public Hearing for application PZ-2019-037 – Emily Jeffery – Subdivision/ Site Plan – Lincoln Hill Rd - TM # 99.00-1-56.000, seconded by Sylvia Moore. Motion carried unanimously.**

Subdivision/Site Plan application PZ-2019-037 will come back before the Planning Board for review, if variances are approved by Zoning Board of Appeals.

## **Scheduling of Public Hearing:**

**Allan Wesche moved to set a Public Hearing for September 28, 2020 at 7:00 p.m. for application PZ-2020-010 Site Plan/Subdivision, owner Alan Trickey, property located at 3672 State Route 488, TM #58.00-2-52.100. Motion seconded by Ryan Bruzda and carried unanimously.**

## **Referral to County Planning Board:**

**Allan Wesche moved to authorize staff to send the following referral to the County Planning Board: PZ-2020-011 – Site Plan – Ventura Enterprises, LLC – 4126 Routes 5 & 20 – TM # 99.00-1-25.000. Motion seconded by Phil Bassage and carried unanimously.**

## **Scheduling of Public Hearing:**

**Allan Wesche moved to set a Public Hearing for September 28, 2020 at 7:00 p.m. for application PZ-2020-011 - Site Plan, owner Ventura Enterprises, LLC - property located at 4126 Routes 5 & 20 -TM #99.00-1-25.000. Motion seconded by Phil Bassage and carried unanimously.**

## **Adjournment:**

Allan Wesche moved to adjourn, motion seconded by Phil Bassage and carried. Meeting adjourned at 9:30 p.m.

Submitted by: *Shawn L Cotter* – September 22, 2020

(attachments below)

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## Short Environmental Assessment Form Part 1 - Project Information

### Instructions for Completing

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Jeffery Subdivision			
Name of Action or Project: Jeffery Subdivision			
Project Location (describe, and attach a location map): Lincoln Hill Road			
Brief Description of Proposed Action: Subdivision of 10.755 acre vacant parcel into four (4) residential building lots in the R-1 zoning district			
Name of Applicant or Sponsor: William J. Grove, PE		Telephone: 585-797-3989	
		E-Mail: grove.engineering@yahoo.com	
Address: 8677 State Route 53			
City/PO: Naples		State: NY	Zip Code: 14512
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: NYSDOH approval for septic systems, ZBA approval of variances		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		10.755 acres	
b. Total acreage to be physically disturbed?		3.84 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		10.755 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other(Specify): Community College			
<input checked="" type="checkbox"/> Parkland			

# Hopewell Planning Board

2716 County Rd. 47 – Canandaigua – NY 14424  
 585-394-0036 ext. #8 – www.townofhopewell.org  
 Minutes – August 24, 2020

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		NO	YES
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements?		NO	YES
If the proposed action will exceed requirements, describe design features and technologies: _____ Will meet energy code requirements _____	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply?		NO	YES
If No, describe method for providing potable water: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities?		NO	YES
If No, describe method for providing wastewater treatment: _____ Individual onsite wastewater treatment (septic) systems _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?		NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?		NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

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14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input checked="" type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If Yes, briefly describe: _____		
The site drains northwesterly to neighboring properties and will continue to do so after development		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor/name: <u>William J. Grove, PE</u> Date: <u>November 20, 2019</u>		
Signature: <u>William Grove, PE</u> Title: <u>Engineer</u> <small>Digitally signed by William Grove, PE        DN: cn=William Grove, PE, o=Grove Engineering, ou, email=grove.engineering@yahoo.com, c=US        Date: 2019.11.20 16:33:06 -0500'</small>		



# GROVE

ENGINEERING, PLLC

8677 STATE ROUTE. 53  
NAPLES, NEW YORK 14512  
5BS-797-39B9 PHONE  
5BS-531-4DB4 FAX  
grove.engineering@yattioo.com

August 21, 2020

Mr. Lance Brabant  
Director of Planning Services  
MRB Group  
145 Culver Road, Suite 160  
Rochester, New York 14620

Re: Jeffery Subdivision  
Preliminary Subdivision Plan  
TM # 99.00-1-56.000

Dear Mr. Brabant,

The following are the responses to your comment letter dated July 23, 2020.

**Public Comments:**

- 1. The proposed driveway for Lot 4 on the existing 30' wide portion of the lot will not adversely impact either neighbor adjacent to the parcel (#3495 and #3477), nor to the neighbors across the street (#3486 and #3476). If the owner of the Jeffery parcel wanted to construct a driveway through that 30' wide portion to construct a single house on the 10.755 acre lot, they are within their rights to do that. This right does not change if the lot changes from 10.755 acres to 2.655 acres. I believe that there is sufficient room for the driveway, drainage and utilities to access the property through this area.
- 2. A proposed 12' wide driveway centered in the 30' space will still leave 9' on each side for snow storage during the winter.
- 3. The additional traffic from four residential houses will not be significant. An average household will generate approximately 10 trips per day. Neighbors ..... C:\IP:\I:\f1:\\_l?9:i!!Qnrease in traffic that the proposed development will generate, but also say that the busiest <lead-eiccro-acrii-the-cillit)F:-: xf it is as ..... busy as they claim, then 40 additional trips per day is negligible.
- 4. There have been nine new houses built on Lincoln Hill Road in the past 10 years. There are currently two more vacant building lots on Lincoln Hill Road that could be developed. Adding four more building lots that are around 2.5 acres each is very much within the character of the neighborhood.
- 5. Neighbors indicate that the sight distance of the proposed driveways is a concern. My calculations indicate that the stopping sight distance for the shared driveway to lots 2 & 3 is approximately 400' in the southerly direction. The other two driveways have longer sight distances. The minimum stopping sight distance for a 40 mph rural road is 305'. All proposed driveways meet the minimum requirements.

6. There is no zoning code requirement that guarantees any existing residences a view over or through another property, however the house on Lot 4 can be relocated to the west to lessen the impact to the view from house #3517. The revised plan will show this, but that does not guarantee that the individual who develops Lot 4 will place the house in this location.
7. Installing a private road for four lots is not practical for this project, and will not reduce the traffic on the road. A shared driveway for Lots 2 & 3 is proposed.
8. The flooding that has historically been an issue along Lincoln Hill Road has been caused by runoff flowing along the road from upland properties. The proposed project will not contribute to the existing flooding conditions, and should improve the situation slightly along Lincoln Hill Road. The neighbors have presented videos and photos of the flooding damage that has occurred to their property, but all the flooding has been within the right-of-way.
9. House #3486 stated that flooding in 2017 caused damage to his driveway. It would be nearly impossible for runoff from the proposed subdivision to enter the property at #3486.
10. The proposed subdivision is similar to the subdivision that was proposed in 2016, but not identical.
11. The property ownership has been transferred from Emily Jeffery to Paula Dugan and John Jeffery. Ms. Dugan and Mr. Jeffery would like to continue with the proposed subdivision application.
12. Light pollution to neighboring houses from driveway traffic will be minimal.

#### **SEQR Comments:**

1. I have changed the title of the drawing to "Preliminary Subdivision" and removed the word "Plat". It is my intention to present a plan to the Town that covers all the requirements for subdivision approval, then once the the Planning Board is content with the content of the plan, an official Subdivision Plat will be prepared by a licensed surveyor;
2. I will prepare a separate SWPPP plan for the project. The project will require that a NOI be submitted to the NYSDEC due to the total disturbed area of the project being over one acre.
3. The Town of Canandaigua stated that they couldn't read the existing and proposed grades from the plan: I believe they may have been reviewing a scanned copy that was not in color. I believe the existing and proposed grades are legible on the copies that I provided to the Town.
4. The plan shows raingardens as well as the pipe that will connect from the house to each raingarden.
5. SHPO has recommended that a Phase 1A/1B archeological study be done on the site prior to issuance of any permits. I received a quote to perform this work, but it does not make sense to complete this work until we are more comfortable knowing that the project can move forward. It is my understanding that we can get preliminary approval from the Town with the final approval being conditioned on satisfactory results of the Phase 1 study.

#### **Site Plan Comments:**

1. Elevations of existing and proposed culverts will be added to the site plan.

2. Water service materials and sizes will be added to the site plan, and proposed curb stop locations will be shown. Materials, size and locations will be coordinated with the Town of Hopewell Water Superintendent
3. Water service details will be added to the site plan.
4. The septic systems shown on the site plan are that of standard raised fill septic systems designed for 3-bedroom homes, and are shown on the site plan to demonstrate that there is sufficient room to fit the septic system on the lot. Each individual lot will be required to have an approved septic system design prior to issuance of the building permit. The size of the septic system will be determined by the design engineer and will be based on the size of the house and the number of bedrooms.
5. Drainage calculations for the pre-construction and the assumed post-construction conditions at the site will be provided. Preliminary calculations indicate that the post-construction runoff from 2.5 acre residential lots will be the same or less than the pre-construction runoff from the existing grass lot. If the planted in corn and farmed, the increase in runoff would be nearly 20% over the existing and proposed conditions.
6. There is a small area of tree removal proposed. This area will be noted on the plan. This area was already included in the disturbed area calculation.
7. A SWPPP will be prepared and an NOI will be submitted to NYSDEC. The project, as proposed, includes 3.84 acres of disturbed area. The note regarding disturbance of over 5.0 acres of land has been revised on the plan.
8. Check dams will be added to the plan in areas of concentrated flow, and a check dam detail will be added to the plan.
9. The silt fence along the west side of Lot 1 has been relocated to the area below the proposed disturbances.
10. The applicant is not opposed to Lot 4 sharing the driveway with Lots 2 & 3. This would eliminate the need to run a driveway through the 30' portion of Lot 4, but it would require that the driveway be located close to the rear property line of #3477.

Thank you for your consideration in this matter. If you require any additional information or have any questions, please do not hesitate to ask.

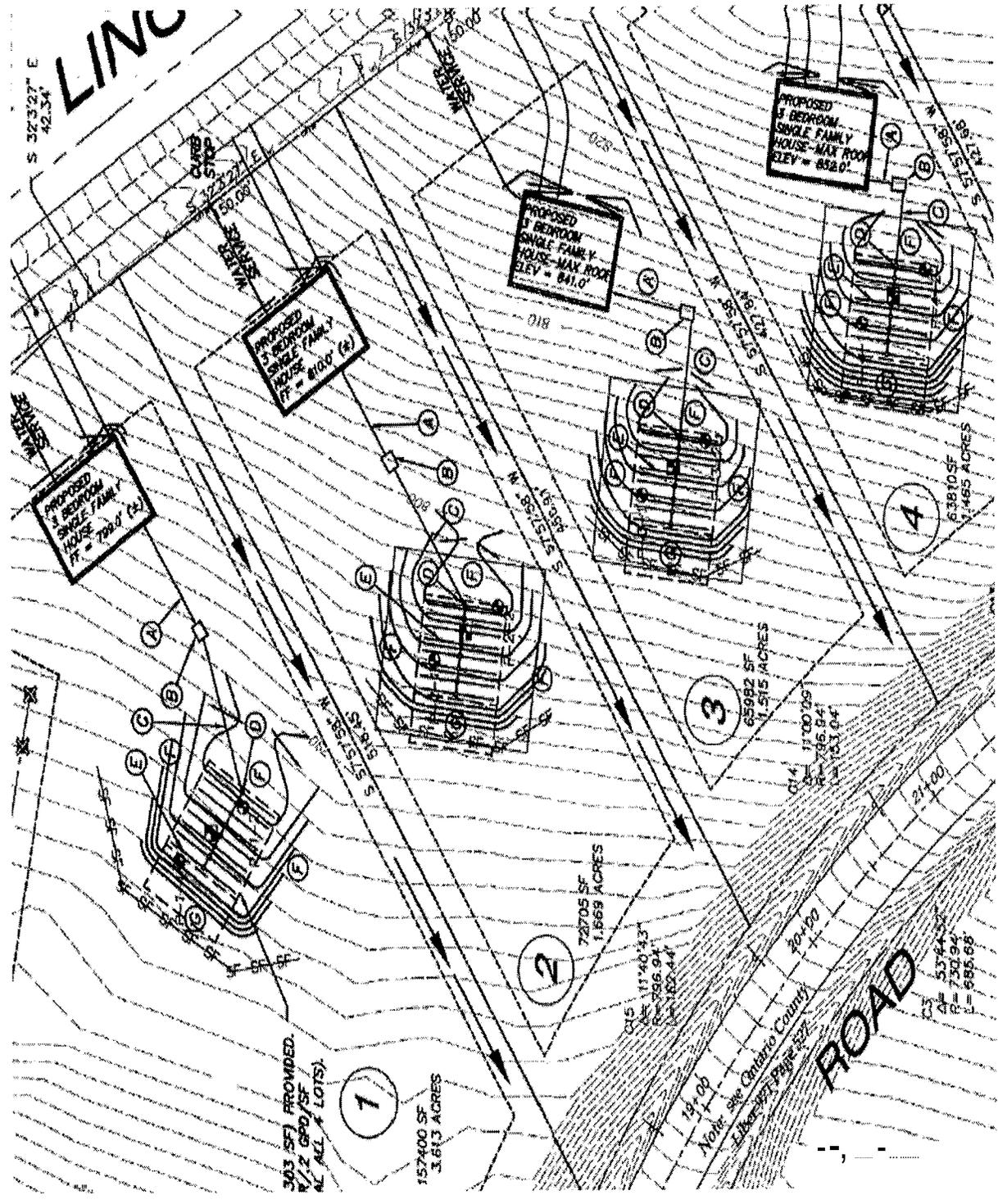


William J. Grove, P.E.

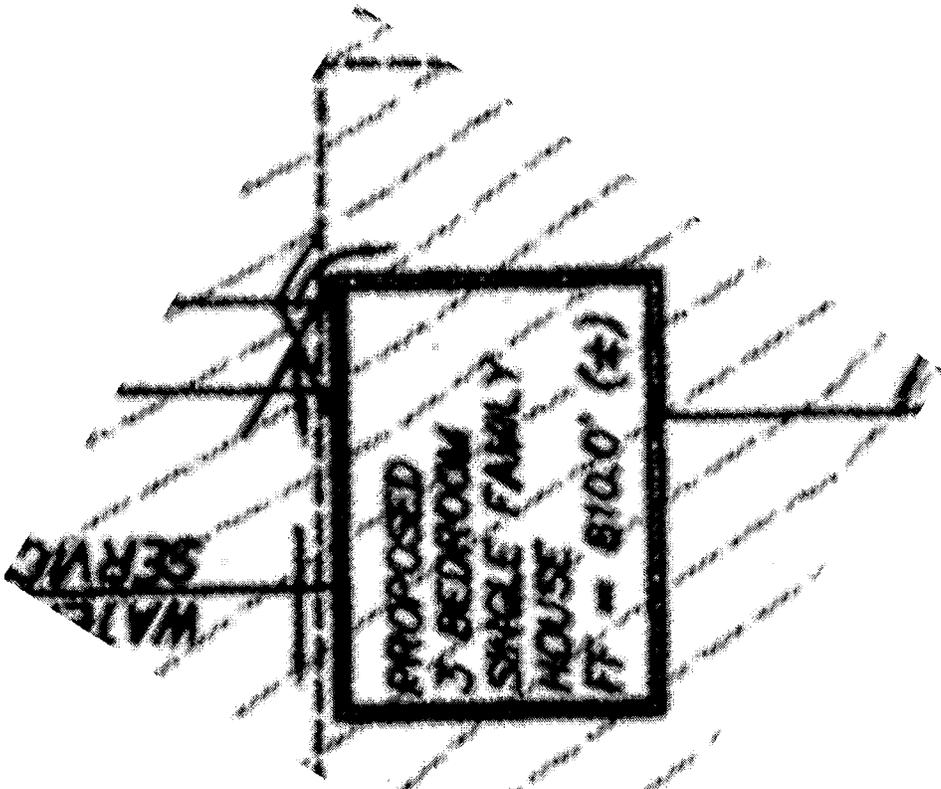
Cc: Jerry Hoover, acting CEO, via email  
Shawn Cotter, PB & ZBA, via email  
Paula Dugan, owner, via email



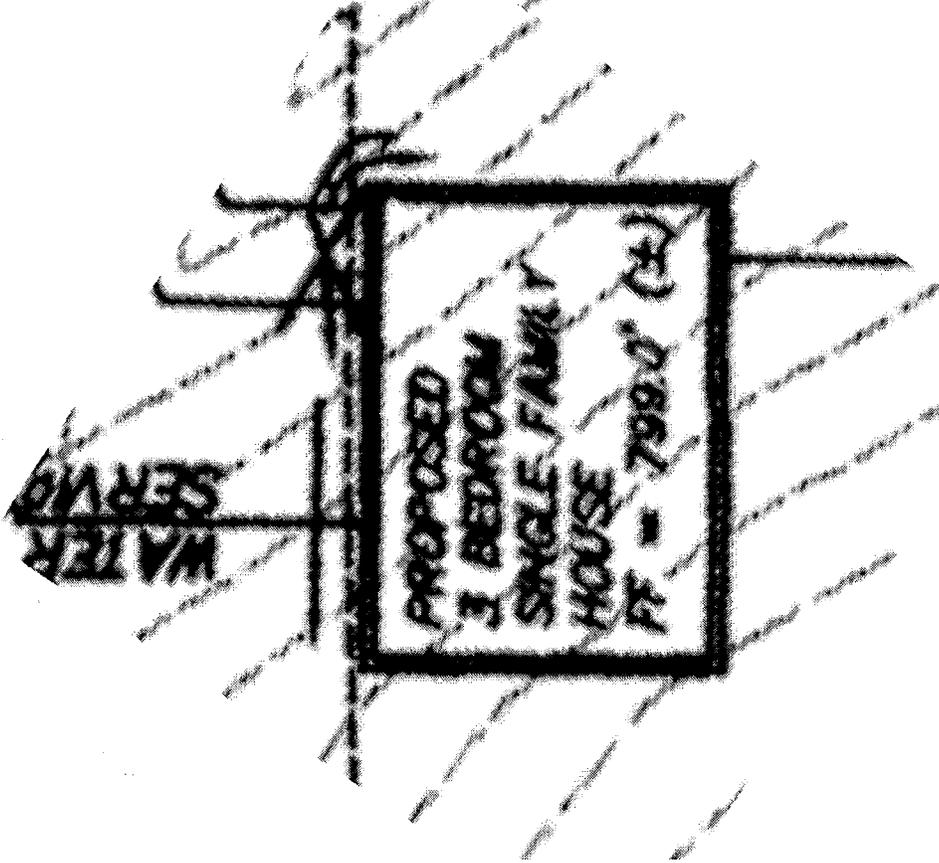
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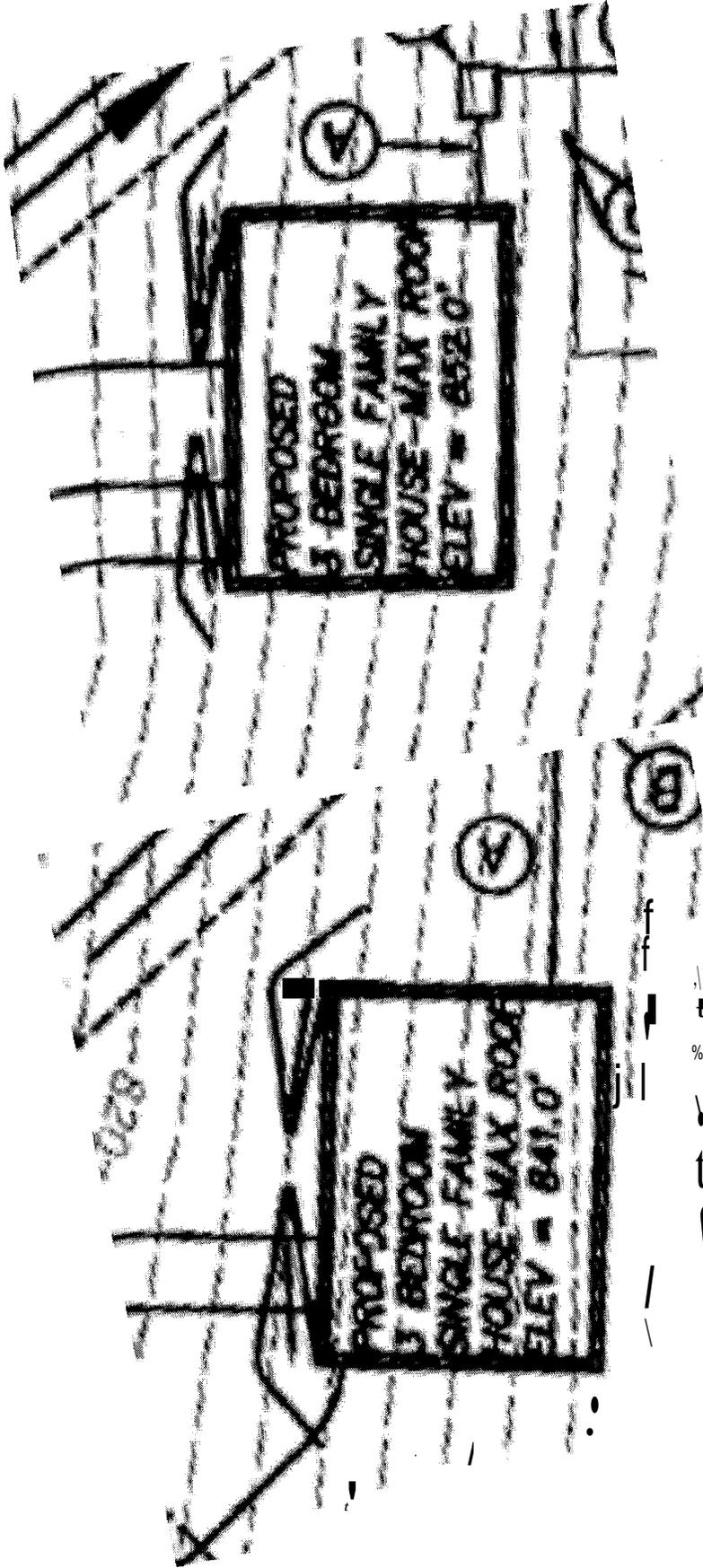


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# HOPEWELL PLANNING BOARD

2716 County Road #47 - Canandaigua, New York 14424  
Town Hall: (585) 394-0036 ext. 8 - Facsimile: (585) 394-8714 - TDD: 1-800-662-1220  
Clerk -Shawn L Cotter (planningzbaclerk@townofhopewell.org) 585-394-0036 ext. #8

Sylvia Moore  
Planning Board Member

James Bator  
Chairman

Phil Bassage  
Planning Board Member

Allan Wesche  
Planning Board Member

Ryan Bruzda  
Planning Board Member

Nick Sergeant  
Planning Board Member

James Carello  
Planning Board Member

## *-Planning Board Agenda-*

Momlft,v, - August 24, 2020  
Planning Board Training Workshop 6:30 P.M.  
Planning Board Meeting 7:00 P.M.

Hopewell Town Hall (Court Room) - 2716 County Road 47 - Canandaigua, NY 14424

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General Business: Approval of July 27, 2020 Minutes  
Privilege of the Floor

Public Hearing Cont: Emily Jeffery -99.00-1-56.000 -Subdivision/Site Plan - Lincoln Hill Rd.  
PZ-2019-037

. Cont. Business: Emily Jeffery -99.00-1-56.000 -Subdivision/Site Plan - Lincoln Hill Rd.  
PZ-2019-037

);> MRB /Grove Engineering Comments

Public Hearing Cont: Rodney Thorn -4392 Co. Rd. 50 - TM# 85.03-1-3.000  
Site Plan PZ- 2020-004 and Special Use Permit (CMAC Events Temp. Parking)

Cont. Business: Rodney Thorn -4392 Co. Rd. 50 ..., TM# 85.03-1-3.000  
PZ- 2020-004 Site Plan and Special Use Permit (CMAC Events Temp. Parking)

» MRB/OCPB Comments

Set Public Hearings/Agenda Items/OCPB Referrals -9/28/2020 meeting

*\*Agenda is Tentative and is subject to change without notice. Seating Occupancy is limited to 16 persons at one time.  
(In accordance with the latest State Governor's Executive Order for conducting public meetings.)*

JOIN MEETINGS by clicking the following link: [join.me/MRB\\_LBrabant](https://join.me/MRB_LBrabant)

To dial in by phone: United States - New York, NY +1.646.307.1990 - Conference ID: 935-915-647 #

Submission of written comments are due by NOON Friday prior to meeting dates.

via e-mail: [scotter@townofhopewell.org](mailto:scotter@townofhopewell.org) OR Town of Hopewell, 2716 County Rd. 47 - Canandaigua - NY 14424  
(attention Planning Board/ZBA Clerk)

"This is an Equal Opportunity Program

Discrimination is prohibited by Federal law. Complaints of discrimination may be filed with the Secretary of Agriculture, USDA, Washington, 2025009700."

NOTE - Documents submitted to the Planning Board in connection with any application listed on the agenda will be available to the public at the meeting.

Planning Board – August 24, 2020

PLEASE PRINT LEGIBLY

NAME	ADDRESS
Biv Grove	8677 STATE RT 53, PROVES 14512
MARK MALVASO	3476 Lincoln Hill Road 14424
SARA BENMARK	3517 Lincoln Hill Rd 14424
James Krane	'' ''
Steven Saravatta	3477 Byneda hite Rd
Jeffrey Wood	3495 Lincoln Hill Rd.
Jim Vachharaj	3464 LHe
Narima Schultz	3460 Lincoln Hill Rd.